

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: 21 MC 101 (AKH)
:
IN RE SEPTEMBER 11 LITIGATION : This Motion Relates To:
: 08 CIV 3719 (AKH)
: 08 CIV 3722 (AKH)
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DECLARATION OF DESMOND T. BARRY, JR.

I, DESMOND T. BARRY, JR., declare as follows:

1. I am admitted to practice before this Court, and a member of the law firm of Condon & Forsyth LLP, co-counsel for American Airlines, Inc. and AMR Corporation. I also serve as Liaison Counsel for the Aviation Defendants in these proceedings.

2. I submit this declaration in support of the Aviation Defendants' opposition to the WTCP Plaintiffs' motion for 28 U.S.C. § 1292(b) certification of five of this Court's prior Orders concerning WTCP's damages for immediate interlocutory appeal

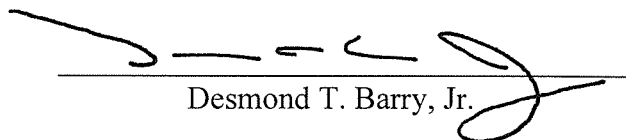
3. In support of the Aviation Defendants' opposition to WTCP's motion, I attach true and correct copies of the following Exhibits:

<u>No.</u>	<u>Exhibit</u>
A.	Order Regulating Admissible Evidence on Motion for Summary Judgment, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (S.D.N.Y. Aug. 28, 2008)
B.	Order Granting in Part and Denying in Part Motion for Summary Judgment Regarding Damages, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (S.D.N.Y. Dec. 10, 2008)
C.	Order Reclassifying and Denying World Trade Center Properties Plaintiffs' Motion for Reconsideration, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (S.D.N.Y. Apr. 29, 2009)

D.	Order Denying Motion for Reconsideration Or § 1292(b) Certification, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (S.D.N.Y. May 26, 2009)
E.	Summary Order Regarding Motion for Collateral Setoff and Summary Judgment, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (S.D.N.Y. Sept. 30, 2009)
F.	Transcript of Hearing, <i>In Re Sept. 11th Litig.</i> , No. 21 MC 101 (AKH) (S.D.N.Y. Aug. 25, 2010)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
October 8, 2010


Desmond T. Barry, Jr.